



# California Fair Political Practices Commission

December 14, 1990

Judy Davis  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, CA 95814

Re: Your Request for Informal Assistance  
Our File No. I-89-468

Dear Ms. Davis:

In August 1989, you asked for written confirmation of telephone advice I had provided to you concerning Government Code Section 84305.<sup>1/</sup> I am writing to confirm that advice. I apologize for the long delay in providing this letter. Apparently I lost track of your request for confirmation and the fact that I had not provided any written response to you.

You had inquired about compliance with sender identification requirements for multiple-candidate controlled ballot measure committees.<sup>2/</sup> Your letter accurately summarizes my advice that the requirements of Section 84305 would be met if all controlling candidates were listed on the outside of the envelope, and, in addition, on at least one of the inserts in the required type size. Please note that if the mailing is sent by one committee, the sender identification is required only on the outside of the

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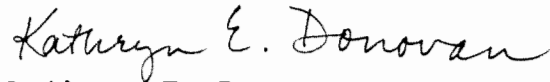
<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

<sup>2/</sup> You did not provide the name of the client on whose behalf you were seeking assistance. Accordingly, we consider your letter to be a request for informal assistance pursuant to Regulation 18329(c).

envelope. (Section 84305(b).) I also advised you that including a list of the controlling candidates in the committee letterhead, in the required type size, would be sufficient for the "inside" sender identification, when such identification is necessary.

Again, I apologize for any inconvenience resulting from my delay in providing written confirmation.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan  
General Counsel

KED:plh

LAW OFFICES OF  
NIELSEN, MERKSAMER, PARRINELLO & MUELLER  
HODGSON, PARRINELLO & MUELLER  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SAN FRANCISCO

650 CALIFORNIA STREET, SUITE 2650  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 989-6800

770 L STREET, SUITE 800  
SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 446-6752

FILE NUMBER

6411.01

August 9, 1989

Ms. Kathryn Donovan, General Counsel  
Fair Political Practices Commission  
428 J Street, Suite 800  
Sacramento, California 95814

Re: Confirmation of Oral Advice: Sender Identification  
Where Sender is a Ballot Measure Committee  
Controlled by Multiple Candidates

Dear Kathy:

This letter is to confirm the advice you rendered during our discussion on August 2, 1989. I inquired about the "sender identification" (Government Code section 84303) required where a ballot measure committee controlled by multiple candidates sends a mass mailing.

Based on the phrase "accompanied by" in Government Code section 68:84106, you advised that a multiple - candidate controlled ballot measure committee would be in compliance with Government Code section 84305 if, on its mass mailings, all controlling candidates were listed on the outside of the envelope, and, in addition, on at least one of the inserts (such as a page of a letter) in the required type size. Inclusion of candidates' names in the letterhead would satisfy the "insert" sender identification requirement. That requirement would also be satisfied if, where the controlling candidates were among the members of the measure committee's board of directors, the candidates' names appeared in the margin in a list of directors printed in the requisite type size. So long as all candidates were clearly identified as directors of the committee, no special emphasis need be given their names. You believed that all the candidates' names need not be "included" in the measure committee's name on mass mailings, so long as their names "accompanied" the Committee's in the manner described above.

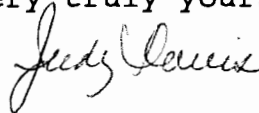
Since we are advising clients based our understanding, as described above, I would appreciate written confirmation that our understanding is correct. Also, if we have misunderstood, could you please call me or Chuck Bell at your earliest possible convenience to inform us of any different interpretation. I realize that written confirmation or clarification may well be

Ms. Kathryn Donovan, General Counsel  
August 9, 1989  
Page 2

delayed by the press of the Commission's other urgent business,  
but we do need to know of any clarifications immediately so that  
we can notify clients.

Thank you for your courtesy.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Judith Sproul Davis".

JUDITH SPROUL DAVIS

JSD:ss



# California Fair Political Practices Commission

August 11, 1989

Judith Sproul Davis  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, CA 95814

Re: Letter No. 89-468

Dear Ms. Davis:

Your letter requesting advice under the Political Reform Act was received on August 10, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

A handwritten signature in cursive script, reading "Kathryn E. Donovan", is written over the typed name.

Kathryn E. Donovan  
General Counsel

KED:plh

FPPC TRANSMITTAL OF CORRESPONDENCE

CORRESPONDENT: Davis, Judith Sproul ADVICE #: 89-468

Sacramento

RE: mass mailing - Ballot Measure Cmte Controlled by

DATE REC'D: 8/10/89 DATE DUE: 9/8/89 multiple candidates

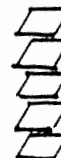
DIANE  
KATHY  
JOHN Mc  
JEANETTE



JOHN W.  
LILLY  
JEEVAN  
SCOTT



MARGARET  
JILL  
CHERYL  
BLANCA  
TA&A



21-DAY LETTER SENT: \_\_\_\_\_ CC TO: \_\_\_\_\_

REQUEST FOR ADD'L INFO SENT: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

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but we do need to know of any clarifications immediately so that  
we can notify clients.

Thank you for your courtesy.

Very truly yours,

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JUDITH SPROUL DAVIS

JSD:ss





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General Counsel

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